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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

MAY 31 1990

Sherwood P. Hill
Maurer Rifkin and Hill, P.C.
Suite 101
10585 North Meridian Street
Indianapolis, IN 46290-1066

Re: Great Lakes Asphalt, Inc.
Your File No: 89-194

Dear Mr. Hill:

Thank you for your letter of May 7 and the material enclosed. I have reviewed the affidavit of Mr. Strong in support of his request to be released from the pending administrative order in the matter of Great Lakes Asphalt, Inc., ("GLA") docket number V-W-89-C-032. However, from reviewing the affidavit and the file on this case, certain matters remain unclear.

In paragraph 3 of his affidavit, Mr. Strong stated that the bulk storage tanks leased from GLA, pursuant to the July 26, 1979 lease and referred to in the affidavit as Exhibit A, were emptied sometime prior to October 1981. Mr. Strong does not state how he is aware of this fact, i.e. personal knowledge from ordering the tanks to be emptied or observing this, or second hand knowledge of being told this was done, and if so by whom?

Further, in response to a 104(e) information request, and in his deposition, Mr Strong stated that the material that was sent to GLA came from Enviro-Chem. It is unclear if he is referring to material sent pursuant to the first lease, second lease, or both. Further, in response to the 104(e) information request, Mr. Strong did not provide an address for Mr. Wessell or Mr. Weston so that certain information could be verified.

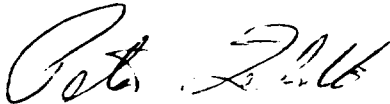
Lastly, Mr. Strong stated that the material that was put in the bulk storage tanks at GLA, at least pursuant to the first lease, was for storage of processed fuel destined for use as auxiliary fuel at cement kilns. Was this also true for the second lease? Was the same type of material used to produce the processed fuel in 1979 and 1982? What materials were combined or used to make the processed fuel?

Though I can guess at the answer to some of these questions from the affidavit, I cannot be sure, and further, some of the

concerns are not addressed. Therefore, I would request that Mr. Strong provide answers to the questions outlined above. If you prefer, I can submit the questions to Mr. Strong formally as a Section 104(e) request, and will do so if I do not hear from you. If you have any questions, please feel free to contact me. My direct dial number is (312) 886-7157.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pet. Felitti".

Peter M. Felitti
Assistant Regional Counsel